

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

MATTHEW BROCK

v.

UNITED STATES OF AMERICA,

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1:12-cv-294/1:06-cr-75
Judge Curtis L. Collier

JUDGMENT ORDER

For the reasons expressed in the memorandum opinion filed herewith, it is hereby **ORDERED** Matthew Brock's ("Brock") 28 U.S.C. § 2255 motion to vacate, set aside, or correct his sentence is **DENIED** and this matter is **DISMISSED** (Criminal Court File No. 75).

Additionally, the Court has reviewed this case pursuant to Rule 24 of the Federal rules of Appellate Procedure and hereby **CERTIFIES** any appeal from this action would not be taken in good faith and would be totally frivolous. Therefore, any application by Brock for leave to proceed *in forma pauperis* on appeal is **DENIED**. Fed. R. App. P. 24.

Should Brock give timely notice of an appeal from this order, such notice will be treated as an application for a certificate of appealability, which is hereby **DENIED** since he has failed to make a substantial showing of the denial of a constitutional right, 28 U.S.C. § 2253(c)(2), or reasonable jurists would find this courts assessment of the constitutional claims debatable or wrong. *Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000); Rule 22(b) of the Federal Rules of Appellate Procedure.

The Clerk of Court **SHALL** close the case.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/Debbie Poplin

CLERK OF COURT